



UNIVERSITY OF CONNECTICUT  
PROFESSIONAL EMPLOYEES ASSOCIATION

AFT Connecticut, AFT, AFL-CIO Local 3695

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**Testimony on HB 6388 n Act Implementing the Governor's Budget  
Recommendations Concerning the Office of Policy and Management**

Good morning Chairman Dailey, Chairman Widlitz and members of the Finance Revenue and Bonding Committee.

I am Peggy Beckett-Rinker, Executive Director of UCPEA, the University of Connecticut Professional Employees Association, representing nearly 1,700 professional employees at the University of Connecticut Storrs Campus, the five regional campuses, the Law School and the School of Social Work.

UCPEA opposes HB 6388 which proposes to change the definition of "managerial employee." The proposed legislation reads:

Sec. 15. Subsection (g) of section 5-270 of the general statutes is repealed and the following is substituted in lieu thereof (Effective July 1, 2011):

(g) "Managerial employee" means any individual in a position in which the principal functions are characterized by [not fewer than two] one of the following: [, provided for any position in any unit of the system of higher education, one of such two functions shall be as specified in subdivision (4) of this subsection:] (1) Responsibility for direction of a subunit or facility of a major division of an agency or assignment to an agency head's staff; (2) development, implementation [and] or evaluation of goals and objectives consistent with agency mission and policy; (3) participation in the formulation of agency policy; or (4) a major role in the administration of collective bargaining agreements or major personnel decisions, or both, including staffing, hiring, firing, evaluation, promotion and training of employees.

Within the ranks of the UCPEA bargaining unit there are many employees with advanced degrees who participate on both departmental and university wide committees which assist in developing the mission, goals and objectives of the University. Some professional employees in UCPEA have responsibility for direction of a subunit of a department. Many develop, implement or evaluate goals and objectives consistent with the University's mission and policy, and many participate in the formulation of the University's policy within their various designated roles. Based on the proposed limited criteria these employees would be considered managerial.

The current statutory language which determines placement in the managerial ranks makes good sense in that it requires a major role in the administration of collective bargaining agreements or major personnel decisions, or both, including staffing, hiring, firing, evaluation, promotion and training of employees. We believe this is a critical component of a manager's job.

The difference between professional employees and managerial employees is that professional employees do not negotiate for the University or enforce the collective bargaining agreement. They are not charged with hearing employee grievances and do not have the power to impose discipline. They cannot hire, fire or promote employees. They are not managers.

We would also like to note that a consequence of this legislation would be to exclude a large number of professional state employees from collective bargaining. We hope that this was unintentional.

In closing, I would reiterate that UCPEA strongly opposes this proposed legislation and asks that you vote it down. Thank you for your consideration. I will be happy to answer any questions.